

APR 27 2005

Attorney's Docket No.: 07039-293001

OFFICIAL COMMUNICATION FACSIMILE:

OFFICIAL FAX NO: (703) 872-9306

Number of pages including this page 3

Appellants: Stephen J. Russell et al.

Art Unit : 1648

Appeal No: 2005-0909

Examiner : Zachariah Lucas

Serial No. : 09/668,196

Filed : September 22, 2000

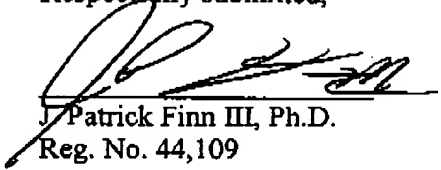
Title : METHOD FOR LIMITING THE GROWTH OF CANCER CELLS USING AN
ATTENUATED MEASLES VIRUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is a Notice of Hearing and a
Communication, faxed this 27th day of April, 2005, to the United States Patent and Trademark
Office.

Respectfully submitted,

Date: April 27, 2005


Patrick Finn III, Ph.D.
Reg. No. 44,109

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(612) 335-5070 to arrange for its return. Thank you.**

Attorney's Docket No.: 07039-293001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants: Stephen J. Russell et al. Art Unit : 1648
Appeal No: 2005-0909 Examiner : Zachariah Lucas
Serial No. : 09/668,196
Filed : September 22, 2000
Title : METHOD FOR LIMITING THE GROWTH OF CANCER CELLS USING AN
ATTENUATED MEASLES VIRUS

Board of Patent Appeals and Interferences**Attention: Dianne E. Maggard**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450


COMMUNICATION

Responsive to the Notice of Hearing mailed April 6, 2005, Appellants elect to waive the hearing attendance. On April 27, 2005, Appellants filed a Request for Continued Examination in the above-referenced matter. Thus, Appeal No. 2005-0909 is moot, in favor of continued examination.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 27, 2005


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CERTIFICATE OF TRANSMISSION BY FACSIMILE

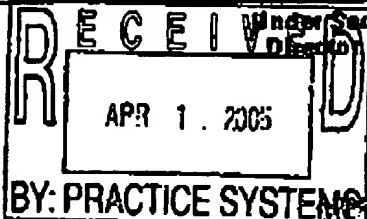
I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

Date of Transmission April 27, 2005
Signature Judy Wasilkus
Typed or Printed Name of Person Signing Certificate Judy Wasilkus

07039-293001



United States Patent and Trademark Office



Under Secretary of Commerce for Intellectual Property and
 Director of the United States Patent and Trademark Office
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Appelant: 2005-0909
 Appellant: Stephen James Russell et al.
 Application No: 09/668,196
 Hearing Room: B
 Hearing Docket: A
 Hearing Date: Tuesday, July 12, 2005
 Hearing Time: 01:00 PM
 Location: Madison Building - East Wing
 600 Dulany Street, 9th Floor
 Alexandria, Virginia 22313-1450

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact Dianne E. Maggard, Paralegal Specialist at 571-272-4634.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0300

USPTO Central Fax No: (703) 872-9306

BPAI Mailing Address:

BOARD OF PATENT APPEALS AND INTERFERENCES
 UNITED STATES PATENT AND TRADEMARK OFFICE
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U.S. PATENT AND TRADEMARK OFFICE
 BOARD OF PATENT APPEALS
 AND INTERFERENCES

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: () HEARING ATTENDANCE CONFIRMED

(X) HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration

No:

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
http://www.uspto.gov/wach/Research/Board/docs/contact/contact_info.htm